

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

UNITED STATES OF AMERICA,

vs.

JEFFREY ALEXANDER STERLING,

Defendant.

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) **Case No. 1:10-cr-00485-LMB**
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MOTION FOR AN EXTENSION OF TIME TO FILE PRE-TRIAL MOTIONS

COMES NOW Jeffrey A. Sterling, by counsel, and for his Motion for an Extension of Time to File Pre-Trial Motions, states as follows:

1. On October 10, 2014, this Court ordered that the parties were to file pre-trial motions within 30 days from that date.

2. The defendant had already filed two motions, one a Motion to Compel and another related to the production by the government of *Giglio* information. The defendant does not anticipate filing any additional unclassified motions at this time and files this motion only as it relates to motions that may contain classified information.

3. As to classified motions, the defense does intend to file additional classified motions - and renew previous classified motions - which motions need to be prepared and filed in the SCIF. As of this date, there is no copy machine available for the defense to copy motions as would be required to make proper filings. Counsel anticipates, from discussions with the CISO, that there will be a copier in the SCIF as early as today but counsel still will not be ready to file classified motions

by Monday regardless as the undersigned counsel has to travel out of state for a hearing on Monday the 10th of November.

4. Counsel thus respectfully requests that the Court grant a 10 day extension to allow for the filing of classified motions. The United States does not object to this request as framed with the understanding that the motions set for November 20, 2014, will go forward as scheduled. The defense is not requesting any change to that schedule.

5. Out of an abundance of caution, the defense also wants to inform the Court that there are motions that may have to be filed, both classified and unclassified, after the date set by the Court for pre-trial motions. For example, the defense may be required to file additional CIPA notices before trial. The defense will coordinate with the United States as to the filing and scheduling of any such motions or notices.

WHEREFORE, the defendant requests that the instant motion be granted. A proposed order is filed herewith.

JEFFREY A. STERLING
By Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

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